

ARTICLE 8

R-10 - RESIDENTIAL DISTRICT

Legislative Intent. This district is composed of certain low concentrations of residential uses, plus certain open areas where similar development would be appropriate. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage suitable environment for single-family residential units and to prohibit all activities of a commercial nature. To these ends, development is limited to low density and permitted uses are limited to single-unit dwellings, plus certain compatible uses by special use permit. In order to increase the supply of less expensive housing and to recognize the changes in demography of a neighborhood while continuing to maintain the character of the district, accessory dwelling units are permitted by special exception approved by the Board of Zoning Appeals.

An alternative to the precise requirements of this district may be employed, known as the cluster alternate. The purpose of the cluster alternate is to provide a more creative and flexible approach to the use of the land and to provide for the more efficient and economical provision of streets and utilities.

Where different requirements apply to cluster alternate than for conventional development, they are so noted.

8-1 Use Regulations. A building may be erected, altered, or used, and a lot or premises may be used or occupied, for any of the following purposes, and no other.

8-1.1 Uses Permitted by Right:

- Single-family detached dwelling units.
- Accessory buildings.
- Agricultural uses existing at the time of Ordinance Adoption.
- Home occupations.
- Yard sale or garage sale for disposal of used household items, provided such sales are not held more frequently than once a year on the same lot, are not conducted for more than three (3) days, and include items assembled only from households of adjoining neighbors.
- Signs subject to Article 25.
- Off-street parking for permitted uses subject to Article 24.
- Open space subject to Article 23.

- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit.
- Group Homes of eight (8) residents or less serving physically handicapped, mentally ill (but not including individuals characterized by illegal use of or addiction to a controlled substance), mentally retarded, or other developmentally disabled persons.

8-1.2 Uses Permitted by Special Use Permit. The following uses will be permitted upon authorization of the Town Council subject to Article 4, Section 4-8.

- Cluster alternate - See Section 8-6 (Amended by Council 10-11-88)
- Child care center, day care center, or nursery school.
- Family care homes or foster homes
- Group Homes of more than eight (8) residents serving physically handicapped, mentally ill, mentally retarded, or other developmentally disabled persons.
- Schools.
- Parks and playgrounds.
- Churches and community buildings.
- Golf courses, swim, and tennis clubs.
- Hospitals and clinics.
- Nursing or convalescent homes.
- Libraries.
- Cemeteries.
- Home professional offices.
- Inn, bed and breakfast facility, or tourist home.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regular stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings.
- Active and passive recreation and recreational facilities.
- Assisted living facilities (Amended by Council 7-9-96)

8-1.3 Uses Permitted by Special Exception. The following uses will be permitted upon authorization of the Board of Zoning Appeals subject to Article 29, Section 29-5.

- Accessory dwelling units.

8-2 Area Regulations

Use	Minimum Lot Size ¹	Minimum Lot Frontage ²	Maximum Lot Coverage ³	Minimum Setbacks		
				Front ⁴	Side	Rear
Single-Family	10,000	75	none	25	10	20
Single-Family; Cluster	6,000	55	65%	25	8	15
Other Permitted Uses	10,000	75	65%	25	15	20

1: expressed in square feet.

2: as measured at the front setback.

3: includes all impervious surfaces.

4: as measured from the street right-of-way.

The minimum area regulations may be modified by the Town Council in accordance with the provision of

Section 4-8.2a. (Amended by Council 11/12/97)

8-3 Height Regulations

Buildings may be erected up to thirty-five (35) feet in height except that:

- The height limit for dwellings may be increased up to forty-five (45) feet and up to three (3) stories provided that front, side, and rear yard setbacks increase one (1) foot for each additional foot of building height over thirty-five (35) feet.
- A public or semi-public building such as a school, church, or library may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.

- Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, and television antennae are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.
- No accessory building which is within twenty (20) feet of any party lot line shall be more than fifteen (15) feet high. All accessory buildings shall be less than the main building in height.

8-4 Special Provisions for Corner Lots

- Of the two (2) sides of a corner lot the front lot line shall be deemed to be the shortest of the two (2) sides fronting on streets.
- The side yard setback adjacent to the side street shall be in conformity with the minimum front yard setback.
- The lot width along the side street shall be in conformity with the minimum lot width requirements for the respective use.

8-5 Special Provision for Accessory Structures

- Accessory building aggregate area shall not exceed twenty-five (25) percent of the area of the rear yard.
- Accessory buildings shall not be located closer than five (5) feet to any rear or side property line or within ten (10) feet of the main structure, except that an accessory building may be built on the property line as a party wall, provided the applicant files with the Zoning Administrator, the written consent of the owners of the adjoining properties, and the exterior walls are of masonry construction. Provision must be made for disposal of roof water onto the subject property or to the nearest storm sewer.
- Attached carports, garages, or other attached accessory buildings and structures shall be subject to same setback as the main structure.
- Open fire escapes of noncombustible material may project into side or rear yards by not more than four (4) feet and be no closer to any property line than five (5) feet.

8-6 Cluster Development Alternate, Qualifying Procedure, and Open Space Requirements

The cluster development alternate may be permitted by special use permit and subject to all provisions of Section 4-8, Special Use Permits, provided there is compliance with the standards for cluster development as set forth in the district regulations.

- A sketch plan shall be approved in accord with the requirements of Section 4-8 and in addition the proposed development shall follow all applicable procedures, standards, and requirements governing the subdivision of land. Such plans shall be contained on sheets measuring a minimum of 18" X 24" and a maximum of 36" X 24".
- The minimum area of a cluster development shall be sufficient to accommodate at least five (5) lots or dwelling units plus minimum required open space, and in addition documentation shall be provided to demonstrate that the land to be developed is under one ownership or control, or in the case of several owners, that agreement has been reached that the tract shall be developed under single direction and in the manner approved.
- The maximum density of the development shall not exceed 4.3 dwelling units per gross acre.
- The design shall be prepared to encourage permanent reservation of open space and efficient and improved use of land to provide good building sites by taking advantage of topography and minimizing grading and destruction of natural vegetation, particularly mature trees on steep slopes and in stream valleys. Plans shall not be approved where the clear purpose of the design is to subvert the purposes of these regulations by inclusion of excessively unbalanced distribution of land among lots or inclusion of open spaces which are inappropriately located or which will not contribute to the future amenity of the development.
- The cluster development shall be designed to promote the harmonious relationships with surrounding, adjacent, and nearby developed or undeveloped properties, and to this end may employ such design techniques as may be appropriate in a particular case, including coordination of yard dimensions, location of lots of various sizes, location of buildings with respect to project boundary lines, location of open spaces, and maintenance of vegetation.

- No resubdivision or sale by any means shall be permitted in a development approved under this section which resubdivision or sale would in any way create a violation of this Ordinance.

- A minimum of twenty-five (25) percent of the subject tract shall be designated as permanent common open space in accord with the provisions of Article 23. Such land may include parks, woodlands, steep slopes, flood plain, bodies of water, or any natural feature appropriate for preservations; provided, however, that no more than thirty (30) percent of the required open space shall consist of bodies of water. Private recreation facilities such as swimming pools and tennis courts, the use of which is limited to the occupants of the development, may be included as part of the required open space, as may those buildings, structures, or sites officially listed on the Virginia Landmarks Register.

8-7 Lighting

Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference. Lighting facilities shall be required along private and public streets and within parking areas, installed at the developer's expense.